

RESOLUTION NO. A-_____

1 WHEREAS, Hartland Homes has requested a waiver of the pedestrian
2 way easement and sidewalks on property generally located at S.W. 14th Street and
3 Washington Street and legally described as:

4 Lots 17 and 18, Block 3, Hartland Estates, located in the
5 Northeast Quarter of Section 33, Township 10 North, Range
6 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

7 WHEREAS, Section 26.23.125 of the Lincoln Municipal Code requires a
8 pedestrian-way easement for a pedestrian sidewalk when a block exceeds 1,000 feet in
9 length; and

10 WHEREAS, the Applicant has requested a modification to waive said
11 requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

12 WHEREAS, the Planning Commission has reviewed said request and
13 has made recommendations thereon; and

14 WHEREAS, the City Council finds that the strict application of all
15 requirements would result in actual difficulties or substantial hardship or injustice to the
16 Applicant.

17 NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

18 That, in consideration of the findings made above, the requirement of a
19 pedestrian way easement within the plat of Hartland Estates for a pedestrian sidewalk
20 when a block length exceeds 1,000 feet, is hereby waived.

21 BE IT FURTHER RESOLVED that the pedestrian way easement between
22 Lots 17 and 18, Block 3, Hartland Estates is hereby released and terminated. Said
23 easement was granted to the City of Lincoln through the final plat of Hartland Estates
24 which was recorded in the Lancaster County Register of Deeds office as Instrument No.
25 95-028543 recorded on September 14, 1995.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor